

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

In Re: New York City Policing  
During Summer 2020 Demonstrations

**PROPOSED ORDER**  
20 Civ. 8924 (CM) (GWG)

This document is related to:

Payne v. de Blasio

**GABRIEL W. GORENSTEIN, United States Magistrate Judge**

**WHEREAS**, Plaintiffs in the above-captioned case submitted a letter to the Court on February 1, 2022 requesting a conference and order compelling Defendants to respond to Plaintiffs' Supplemental Set of Interrogatories and Request for the Production of Documents ("Second Requests") and to produce documents and video in response to Plaintiffs' Third Supplemental Set of Interrogatories and Request for the Production of Documents ("Third Requests") within five (5) days of that conference (ECF No. 370);

**WHEREAS**, Defendants failed to timely respond to Plaintiffs' letter to the Court within two (2) business days in accordance with the Court's Individual Rules of Practice;

**WHEREAS**, the Court has the authority to deem an untimely response to a discovery application unopposed and has done so in its February 7, 2022 order (ECF No. 383);

**IT IS HEREBY ORDERED** that Defendants' objections as to Plaintiffs' Second Requests are hereby waived except for those relating to privilege;

**IT IS HEREBY ORDERED** that Defendants must provide complete and signed answers to the interrogatories contained in and provide complete and full responses to Plaintiffs' Second Requests by February 16, 2022;

**IT IS HEREBY ORDERED** that Defendants' objections to the Third Requests other than

to privilege are overruled and Defendants must provide complete and signed answers to Interrogatories 18, 19, and 20 and shall provide complete and full responses to Request Nos. 1-12 by February 16, 2022;

**IT IS FURTHER ORDERED** that Defendants must produce all documents and videos that are responsive to Plaintiffs' Second and Third Requests by February 16, 2022; and

**IT IS FURTHER ORDERED** that Defendants must comply with these court-ordered deadlines unless the parties agree to an extension and obtain such an extension in writing from the Court prior to the deadline. If Defendants fail to meet the deadlines included in this order, they must submit a letter to the Court within one (1) day of missing the deadline explaining why the City should not be sanctioned pursuant to Fed. R. Civ. P. 37(b) for its failure to comply with this Court order.

Dated: New York, New York  
February \_\_\_, 2022

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Hon. Gabriel W. Gorenstein  
United States Magistrate Judge